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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
FEDER ET AL.

ART UNIT: 1647

EXAMINER: BUNNER, BRIDGE E.

APPLICATION NO: 10/071,458

FILED: FEBRUARY 7, 2002

FOR: POLYNUCLEOTIDE ENCODING A NOVEL HUMAN
POTASSIUM CHANNEL BETA SUBUNIT, K+BETAM3Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper is being filed in response to the Office Action mailed April 22, 2003 having a term that expired on May 22, 2003. A Petition for a one (1)-month Extension of Time to extend the time for response to the Official Action up to and including June 22, 2003, together with an authorization to charge the \$110.00 requisite extension fee to Deposit Account No. 19-3880, is enclosed herewith.


In reply to the Official Action dated April 22, 2003, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I, encompassing claims 1-4, 8-9 and 16-19 and drawn to an isolated nucleic acid molecule comprising a polynucleotide having a nucleotide sequence at least 95.0% identical to a polynucleotide fragment of SEQ ID NO:1, a recombinant vector and host cell, and a method of making a polypeptide. This election is made without prejudice to, or disclaimer of, the other claims or inventions disclosed.

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Although it is believed no additional fee is due, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this correspondence to Deposit Account Number 19-3880. Furthermore, if any extension of time not already accounted for is required, such extension is hereby petitioned for, and it is requested that any fee due for said extension be charged to Deposit Account Number 19-3880.

Respectfully submitted,

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Date: June 18, 2003